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MATTHEWS & ZAHARE

JK MAY 08 2006 *JW*

File No. 103-2
Atty TAM

IN THE UNITED STATES DISTRICT COURT

DISTRICT OF ALASKA

CHARLIE J. DAVIS, JR.,)
vs. Plaintiff,)
ZELMAR HYDEN, ET AL.,)
Defendants.)

Case No. A02-214 CV (JKS)

RESPONSES TO SECOND DISCOVERY REQUESTS

Request for Production No. 6: Please produce a copy of all prisoner transfer forms (Section 807.17(E)) prepared for Charlie Davis.

Response: See medical records previously produced. Copies of all prisoner transfer forms would be in that file.

Request for Production No. 7: Please produce a copy of all health appraisals (Section 807.14) prepared for Charlie Davis.

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1 Response: See medical records previously produced. Copies of all prisoner health
2 appraisals would be in that file.

4 Request for Production No. 8: Please produce a copy of all requests for medical
5 care (Form 807.02(A)) submitted by, on behalf of, or relating to any medical care for
6 Charlie Davis.

7 Response: See medical records previously produced. Copies of all requests for
8 medical care would be in that file.

9 Request for Production No. 9: Please produce a copy of all health care
10 administration and staff meeting minutes where medical monitoring of inmates with heart
11 conditions was discussed during the period from January 1, 1995, through December 31,
12 2002.

14 Response: There are none.

15 Request for Production No. 10. Please identify each and every fact which support
16 your denial of Request for Admission Nos. 1 through 36 which you failed to
17 unequivocally admit. Please identify each and every fact which supports your denial.

18 Response: Defendants object to the form of the question because it is not a
19 proper request for production. Defendants also object to the interrogatory because
20 many of defendants' responses referred the plaintiff to documents and it is his burden
21 to review them for the information he seeks. See defendants' objections to the
22 Requests for Admission. See the depositions of defendants regarding the denial of
23 R/A 8 & 9. See the deposition of Dr. Luban regarding the denial of R/A 10, 16, 18,
24

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1
2 19, 20, 22, 23, 24, 25 & 36. See the medical records and all depositions regarding
3 denial of R/A 26. See response to Interrogatory #1 for denial of R/A 29.

4 Request for Production No. 11: Please identify how many inmates have had
5 defibrillator implants while passing through the custody and control of the Palmer
6 Correction (sic) Center during the years 1999 through 2002.

7 Response: Objection to request insofar as it would require defendants to review
8 each inmate's medical file to determine if the inmate had a defibrillator implant. The
9 burden and expense of this discovery far outweighs any benefit to plaintiff.
10

11 Request for Production No. 12: Please identify each and every step taken to assure
12 proper functioning of Mr. Davis' defibrillator implant during his incarceration at Palmer
13 Correctional Center.

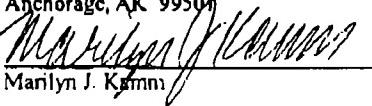
14 Response: Copies of an inmate's request to check his defibrillator, and the
15 response to his request, would be in his medical files.

16 Dated this 8th day of May, 2006, at Juneau, Alaska.
17

18 DAVID W. MÁRQUEZ
19 ATTORNEY GENERAL

20 By: 
21 Marilyn Kamm
22 Assistant Attorney General

23 I certify that on May 8, 2006, I mailed and faxed
24 a true copy of the foregoing with first class postage to:
25

26 Thomas Matthews
27 431 W, 7th Avenue, Suite 207
28 Anchorage, AK 99501

Marilyn J. Kamm

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